

Appl. No. 09/920,042
Amendment/Response
Reply to Office Action of
June 25, 2003

Page 6 of 9

REMARKS/DISCUSSION OF ISSUES

Claims 1-8 are pending in the application. Claim 6 has been amended.

Claims are amended for non-statutory reasons, to place them in standard U.S. patent practice format.

Objections to the Claims

The Office objects to claim 6 because the term "resepective" makes no sense. Claim 6 has been amended to correct the misspelling.

Rejections Under 35 U.S.C. § 112

The Office rejects claims 1-8 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Office asked for clarification in the specification because claim 7 recites the formula " $N = \text{round}(R \times x)$ ", while the specification recites " $N = \text{round}(1024 \times x)$ ". The specification has been amended to clarify that the use of 1024 as R in the specification results from the example given in the specification in performing a motion estimation process for 128 by 8 pixels. The embodiments may be implemented with another number. In view of the above amendments and remarks, it is respectfully submitted that the rejections under 35 U.S.C. § 112, first paragraph, of claims 1-8 should be withdrawn.

Rejections Under 35 U.S.C. § 102(e)

The Office rejects claims 1-3, and 6 under 35 USC § 102(e) in view of *Taraci* (U.S. Patent 6,316,974). For at least the reasons set forth below, it is respectfully submitted that these claims are allowable over the cited reference.

To properly establish a *prima facie* case of anticipation, *all* of the claimed

Appl. No. 09/920,042
Amendment/Response
Reply to Office Action of
June 25, 2003

Page 7 of 9

elements must be found in the prior art. It follows, therefore, that if a *single* claimed element is not found in the prior art, a *prima facie* case of anticipation cannot properly be established.

Claim 1 includes features:

*"...said processor being characterized in having programming means for implementing programmable stall clock cycles interspersed between said effective clock cycles for implementing a programmable slowdown factor S, such that a modified number of C*S overall clock cycles will effect processing of said predetermined amount of image information."*

The *Taraci* reference lacks at least a disclosure of the use of programmable stall clock cycles to slow down processing. It is respectfully submitted that the "frame delay rate", which the Office equates with stall clock cycles, is not a stall clock, but rather is an offset ('constant delay') to permit the synchronization of audio to video. (Kindly refer to Col. 8 lines 46-50 of *Taraci* for support for these assertions).

Moreover, there is no teaching in the *Taraci* reference of slowing down processing. Instead, the reference is concerned with generating a pixel clock that permits image data to be read out of memory at a rate that would fill an output frame for every input frame. In fact, image processing is not really addressed by the reference. Furthermore, in the example given in the reference, the read out operation is *sped up* so that the larger number of pixels in the image to be displayed can be displayed before the next frame sync. (See Col. 12, lines 14-65 of *Taraci* for support for this assertion.) Thus, it is respectfully submitted that the *Taraci* reference does not teach the use of stall clock cycles to implement a slowdown factor.

Because the *Taraci* reference lacks at least one of the claimed elements of independent claim 1, it cannot serve to establish a *prima facie* case of anticipation. It follows that claims 2-8, which depend from claim 1 directly or indirectly, and this contain additional features to those of claim 1, are also allowable over the applied

Appl. No. 09/920,042
Amendment/Response
Reply to Office Action of
June 25, 2003

Page 8 of 9

art. Allowance is earnestly solicited.

Rejections Under 35 U.S.C. § 103(a)

Claims 4, 5 and 8 were rejected under 35 U.S.C. § 103(a) relying on the combination of *Taraci* discussed above, in view of *Crump* (US Patent 5,638,531). As stated previously, claims 4, 5 and 8 depend from claim 1, directly or indirectly. As such, these claims contain additional features to those of claim 1, and therefore are allowable over the applied art. Accordingly, while in no way conceding to the propriety of this rejection, and without conceding the propriety of the combination of references, it is respectfully submitted that because the reference to *Taraci* lacks at least the teachings of the features of claim 1 discussed above, it cannot serve as the basis for a *prima facie* case of obviousness. As such, these rejections are improper and should be withdrawn.

Claim 7 was rejected under 35 U.S.C. § 103(a) relying on the combination of *Taraci* discussed above, in view of *Kondoh* (US Patent 5,649,199). As such, claim 7 contains additional features to those of claim 1, and therefore are allowable over the applied art. Accordingly, while in no way conceding to the propriety of this rejection, and without conceding the propriety of the combination of references, it is respectfully submitted that because the reference to *Taraci* lacks at least the teachings of the features of claim 1 discussed above, it cannot serve as the basis for a *prima facie* case of obviousness. As such, this rejection is improper and should be withdrawn.

Conclusion

In view of the foregoing, it is respectfully requested that all objections and rejections be withdrawn. Allowance of all pending claims is earnestly solicited.

Appl. No. 09/920,042
Amendment/Response
Reply to Office Action of
June 25, 2003


Page 9 of 9

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact William S. Francos, Esq. (Reg. No. 38,456) at (610) 375-3513 to discuss these matters.

Except as otherwise stated in the previous Remarks, applicant notes that each of the amendments have been made to place the claims in better form for U.S. practice or to clarify the meaning of the claims; and not to distinguish the claims from applied art, otherwise narrow the scope, or to comply with other statutory provisions. Applicant reserves all entitled rights under the Doctrine of Equivalents.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees, including, but not limited to, fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted on behalf of:
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by: William S. Francos (Reg. No. 38,456)

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